

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30596 of 2021

Arising Out of PS. Case No.-132 Year-2011 Thana- MAHISHI District- Saharsa

MD. MASTAN @ FARUQUE, S/o Late Md. Majeed R/o Village- Jalai,
Puranwas, P.S.- Maheshi, District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi

For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 21-03-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest for the offences
alleged under Sections 302, 379 and 34 of the Indian Penal
Code and Section 27 of the Arms Act, 1959, registered in
connection with Mahishi (Jalai) P. S. Case No. 132 of 2011.

As per allegation, the present petitioner along with the
accused persons committed murder of the deceased / Digambar
Choudhary by firing shot arm weapon on his person.

The learned counsel for the petitioner has submitted



that the co-accused Md. Sattar @ Abdus Sattar has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 30777 of 2020.

The order of the learned Sessions Judge, Saharsa dated 20.08.2020 shows itself that petitioner was declared absconder and his anticipatory bail petition was dismissed as not maintainable.

Considering the above-mentioned facts and circumstances, especially the fact that the petitioner has been declared absconder, the anticipatory bail petition is dismissed as not maintainable.

Office shall ensure that all the defects are removed by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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